

U.S. Patent Application
Serial No. 10/584,004

1. Rejection of Claims 13-15 and 18-25 Under 35 U.S.C. §102(e) to

U.S. Patent Application Publication 2006/0025300

As indicated in Applicant's response of February 24, 2010, the subject matter relied upon in Diego, et al. and currently claimed in the instant application was derived from the same inventor(s), and thus, was not "by another." In this regard, Applicant is submitting with this response an executed version of the previously filed declaration to obviate the instant rejection.

In light of the above, Applicant respectfully believes the instant rejection to Diego, et al. should be withdrawn, and that claims 13-15 and 18-25 are novel and patentably distinct from Diego, et al.

CONCLUSION

Based upon the above remarks, the presently claimed subject matter is believed to be novel and patentably distinguishable over the prior art of record. The Examiner is therefore respectfully requested to reconsider and withdraw the pending objection and rejections, and allow claims 13-16 and 18-26. Favorable action with an early allowance of the claims pending in this application is earnestly solicited.

The Examiner is welcomed to telephone the undersigned practitioner if she has any questions or comments.

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Respectfully submitted,

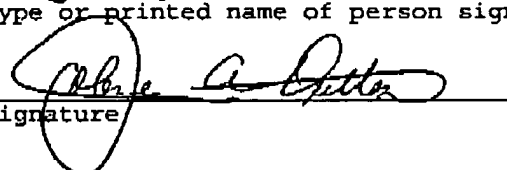
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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571-273-8300) on March 3, 2010.

Jolene A. Outten
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